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CANADIAN IMMIGRATION & REFUGEE LAW

Fall 2001

VOLUME II

Prof. Audrey Macklin

Materials prepared by:

Audrey Macklin, U of T Fac. Law

Sharryn Aiken, Centre for Refugee Studies, York University

With the assistance of Dina Bogecho, LL.B.

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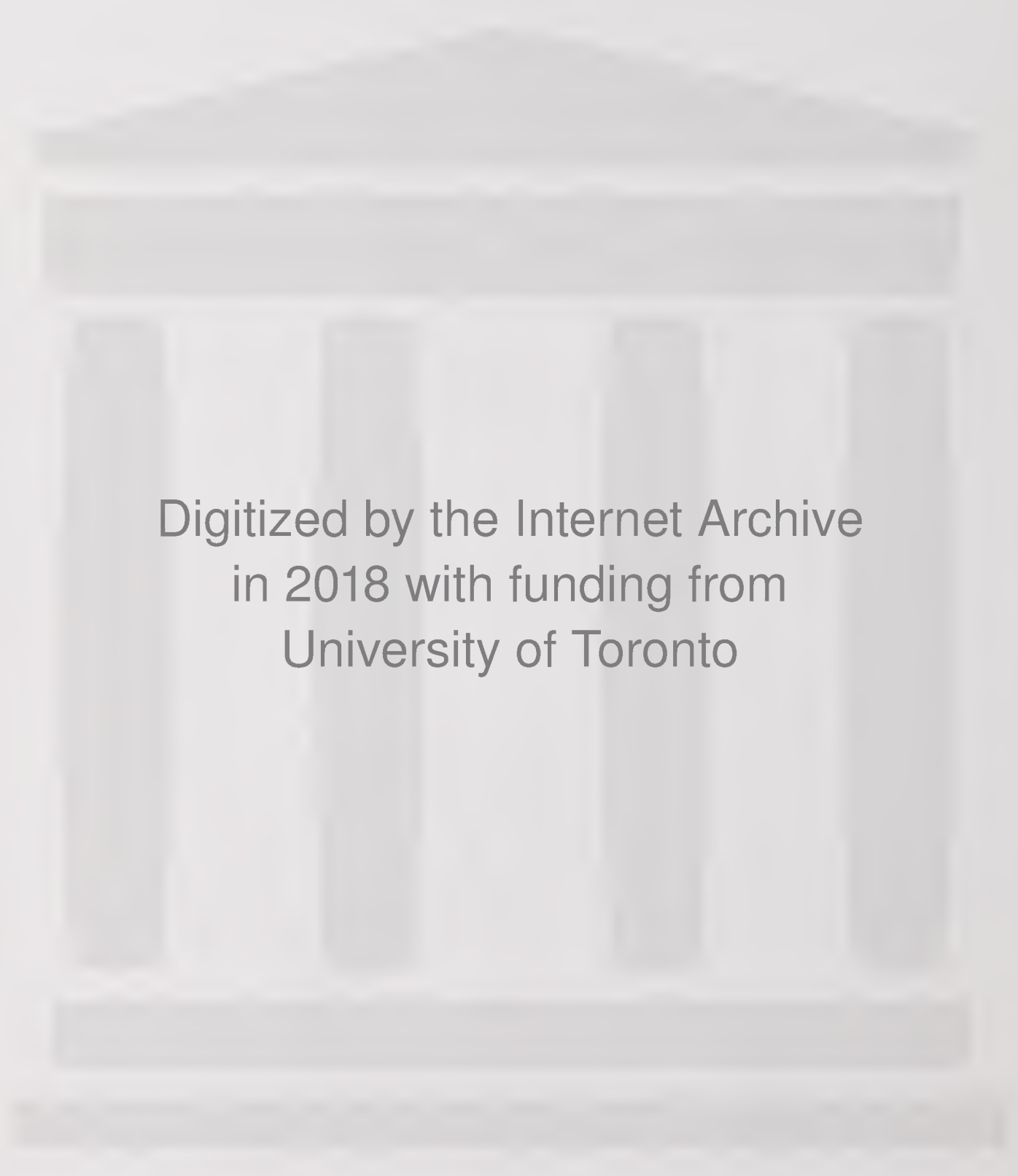
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WEEKS 8 & 9

EXCLUSION AND REMOVAL

The first week's readings deal with how Canada attempts to assert control over who may reach Canada's borders, who enters Canada, who stays, and the process by which those who are rejected are removed. The second week will feature a moot on *Suresh* (judgment from SCC pending). I will give you the facts from the appellant and the respondent when they are available in order to facilitate your preparation.

WEEK 10

REFUGEES: HISTORY, INSTITUTIONS AND PROCESS

This week's readings give you a very brief overview of the evolution of the international refugee regime, and some of the challenges facing it today. I then move to considering the process of refugee determination in Canada.

The process of refugee determination will undergo significant changes under Bill C-11. You will have an opportunity to observe the current regime when you attend a refugee hearing before the Convention Refugee Determination Division of the Immigration and Refugee Board. Bear in mind that while the United Nations *Convention Relating to the Status of Refugees* prescribes a refugee definition binding on all states party, it does not impose a common set of procedures for determination of refugee status.

WEEK 11

THE REFUGEE DEFINITION

These readings are meant to give you a very brief introduction to the legal definition of a refugee. The materials are drawn from a training program for refugee law judges from around the world, and are somewhat 'generic'.

I have included an edited version of the Supreme Court of Canada's influential *Ward* decision, which covers many (though not all) important aspects of the definition in the Canadian context. You should also review the *Pushpanathan* decision (which I handed out in week 4) on the meaning of 1F(c).

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WEEK 12

EMERGING ISSUES IN FORCED MIGRATION

